Testimony of Pat Nolan
President, Justice Fellowship

Before the Committee on Government Reform

Hearing On Prisoner Reentry

February 3, 2005

Mr. Chairman and Members,

Thank you for the opportunity to testify before your subcommittee on the very important subject of increasing public safety by doing a better job of preparing prisoners to return to their communities.

I am the President of Justice Fellowship, the criminal justice reform arm Prison Fellowship. We work with government officials to apply biblical principles of justice to our criminal justice system.

We are grateful for today's hearing so that we can give our perspective on what works in transforming the lives of offenders so that they can return to their communities to lead healthy, productive, law abiding lives after their incarceration. Prison Fellowship's perspective is based on three decades of sharing the life-changing message of the Gospel in prisons. Our staff and volunteers lead Bible Studies and provide discipleship training in prisons across the United States. Scientific studies have shown that inmates who participate in just ten or more of these Bible Studies and seminars are two-thirds less likely to recidivate. Prison Fellowship also ministers to the children of prisoners through our Angel Tree project. I am the author of When Prisoners Return a book that calls the Church to work with inmates as they prepare for release and to "walk through the gate" with them as they take those difficult first steps of freedom.

I bring a unique background to our ministry. Prior to becoming President of Justice Fellowship, I served for 15 years in the California State Assembly, four of those as the Assembly Republican Leader. I was a leader on crime issues, particularly on behalf of victims' rights. I was one of the original sponsors of the Victims' Bill of Rights (Proposition 15) and was awarded the "Victims Advocate Award" by Parents of Murdered Children. I pushed to expand California's prison system and led the fight to restore the death penalty and make it harder for convicts to be paroled.

Then, I was targeted for prosecution for a campaign contribution I received, which turned out to be part of an FBI sting. I pleaded guilty to one count of racketeering, and served 25 months in a federal prison and four months in a halfway house. What I saw in prison caused me to reexamine the policies that I had so ardently advocated, and my testimony today reflects my experiences both as legislator and as prisoner.

To understand the immensity of the crisis in our criminal justice system, a few facts are in order. One out of every 134 Americans is behind bars today - over two million people. That is the highest incarceration rate and largest prison population in the world. (Triple the rate of just 20 years ago). In addition another 4.6 million Americans are on probation or parole, meaning that one in every 32 adults is either in custody or on supervised release.

With less than 5 percent of the globe's people, America locks up 25 percent of the world's prisoners at an annual cost exceeding $40 billion. Government at all levels spent $147 billion on crime related expenses: police protection, corrections, and judicial and legal activities in 1999.

Each prison cell costs $100,000 to build, plus we spend at least $20,000 annually to house feed and guard each inmate . Prisons have become one of the fastest growing items in state budgets, siphoning off dollars that that might otherwise be available for schools, roads or hospitals.

Offenders are often sentenced for years to overcrowded prisons where they are exposed to the horrors of violence including homosexual rape, isolation from family and friends, and despair. Instead of working on the outside to repay their victims and support their families, many non-dangerous offenders are idle in prison; warehoused with little preparation to make better choices when they return to the free world. On leaving prison they will have great difficulty finding employment. The odds are great that their first incarceration will not be their last.

Our large investment in our prisons might be justified if the inmates released from them were reformed in hearts as well as habits. However, most inmates do not leave prison transformed into law-abiding citizens. In fact, the very skills inmates develop to survive inside prison make them anti-social when they are released. Prisons are, indeed, graduate schools of crime.

The statistics tell the story. A recent study by the Department of Justice Statistics found that two out of three released inmates were rearrested within three years , victimizing more innocents in the process.

Over the last thirty years, the rate of rearrest has hovered stubbornly around 67 percent as both the liberals and then conservatives tried their solutions. Both approaches have failed to break the cycle of crime. Whether the therapeutic model or the tough-on-crime philosophy was guiding crime policy, the results have remained the same: more crime, more victims and more prisons. If two-thirds of the patients leaving a hospital had to be readmitted soon thereafter, the public would quickly find a new place to be treated.

The moment offenders step off the bus they face several critical decisions: where will they live, where will they be able to find a meal, where should they look for a job, how will they get from one place to the next and where can they earn the enough money to pay for these necessities? These returning inmates are also confronted with many details

of personal business, such as obtaining various identification cards and documents, making medical appointments, and working through the many everyday bureaucratic problems that occur during any transition. These choices prompt feelings of intense stress and worry over the logistical aspects of their return to the outside world. To someone who has had no control over any aspect of their lives for many years, each of these problems can be vexing. In accumulation, they can be overwhelming.

My own experience provides a good example. Shortly after my release to the halfway house, some friends took me to lunch at a local deli. The waiter came over to take our orders. Everyone else told him what they wanted, but I kept poring over the menu. My eyes raced over the columns of choices. I knew that I was supposed to order, but the number of options overwhelmed me. My friends sat in embarrassed silence. I was paralyzed. The waiter looked at me impatiently. I began to panic. How ridiculous that I wasn't able to do such a simple thing as order lunch. Finally, in desperation I ordered the next item my eyes landed on. I didn't even want it, but at least it put an end to this embarrassing incident.

For two years I hadn't been allowed to make any choices about what I ate. Now I was having a hard time adjusting to the simple options most people face every day. If I had this much difficulty after only a couple of years in prison, think how hard it is for those inmates who haven't made any choices for five, ten or fifteen years. When they are dropped off at the station or the airport with a ticket and a few dollars in spending money, how will they cope with the baffling array of options they face? Have been prepared for the world of free choices? Is it any surprise that so many of them make some bad choices and end up back in prison?

The choices they make immediately after release are extremely important. Of the ex-prisoners who fail (that is, are rearrested) over half will fail within the first six months. That is not much time to turn their lives around. One study of re-arrests in New York City found that the rate was especially high during the first hours and days following release. This early window of time is the most intense period for ex-prisoners, when they may be overwhelmed by the accumulation of large and small decisions facing them. On average, ex-offenders have only a one-in-three chance of getting through their first years without being arrested.

After their release, former inmates often need help reentering society: hunting for an apartment, securing furnishings or clothes, making new friends, obtaining medical care and entering a faith community. They also need good advice on family relationships, help finding a job and encouragement as they face many disappointments. In short, they need someone who cares about them and looks out for their best interest. As I wrote in the first chapter, Dr. Martin Luther King, Jr. said, "To change someone, you must first love them and they must know that you love them."

During their difficult first days on the street these returning prisoners need relationships with loving, moral adults. Programs are helpful, but a program cannot love these former

inmates; only people can do that. And where do the vast majority of these people come from? Over 95% come from churches.

A welcoming church is a crucial element for returning prisoners who have become Christians in prison. Their new life means avoiding many of their old friends and sometimes even shunning family members with alcohol or drug dependence. Where will these newly minted Christians turn for companionship and positive activities if they have been rejected by their local church? The greater the density of loving, moral people we can pack around returning prisoners, the greater the chance that they will become healthy, productive, law-abiding members of the community.

One former addict said that quitting drugs was much easier than dropping his old friends when he got out. We all seek to belong, and if the church doesn't welcome these returning inmates, they will seek fellowship elsewhere. The church offers a positive alternative to street life for ex-offenders. Dr. John DiIulio, who was President Bush's first Director of the Office of Faith Based and Community Initiatives, pointed out the stark dividing lines of urban life, "The last two institutions to leave the inner city are liquor stores and the church." If inmates feel welcome in a church, their old lives probably won't seem so attractive.

The church can be an oasis of tranquility to released inmates in an otherwise pretty hostile world. After years of having every minute of their lives controlled by prison authorities, offenders return to find themselves with unending hours of unstructured time to contend with. Unless they are quickly drawn into positive activities, the temptation is to "hang" on the street corner or watch TV for hours at a time. Boredom and loneliness are twin curses that will likely lead them into bad situations.

Church activities offer a positive way to fill this time. Worship services, Bible studies and church social activities are wholesome activities that put the returning offenders into a "good crowd", and provide them with positive role models.

In addition to group activities with the church, it is important that returning inmates have a friend they can turn to as they take their difficult first steps in freedom. A loving mentor is key to helping them think through their decisions and hold them accountable for making the right moral choices.

The importance of mentors to returning prisoners was stressed by Dr. Byron Johnson in his recent study of the InnerChange Freedom Initiative (IFI), a reentry program operated by Prison Fellowship under contract with the state of Texas. Dr. Johnson's study found that IFI graduates were two-and-a-half times less likely to be re-incarcerated. The two year post-release reincarceration rate among IFI graduates in Texas was 8 percent, compared with 20.3 percent of the matched comparison group.

Dr. Johnson emphasized that mentors were "absolutely critical" to the impressive results. The support and accountability provided by mentors often make the difference between a successful return to society and re-offending. As these offenders make the difficult

transition back into the community, they need relationships with caring, moral adults. The greater the density of good people we pack around them, the greater the chance that they will be successfully replanted back into the community.

A mentor can help the ex-offender think through employment options and tell them what their employer will expect of them on the job. Many offenders have never had someone in their lives who has held a steady job. They have no model for being a good employee. A mentor can teach them that they need to get up on time, go to work each day, and call their supervisor if they must be late or absent. The offender may find it difficult to take direction or may lack skills to cope with a difficult boss or fellow employees. A mentor can help them with these and other everyday difficulties of the workplace and teach them the importance of punctuality, politeness, and diplomacy on the job.

Mentors can also help the offenders learn decision-making skills and teach them how to keep track of bills and pay them on time. In prison inmates do not have to deal with any of this. On the street such details may quickly overwhelm them. In short, offenders need to be taught how to make good choices, handle responsibility, and be accountable—to make the right choice even when no one is looking.

Mentors also help returning inmates deal with many of the personal problems they typically encounter upon leaving prison: no reliable friends outside their former gang network, marital problems and no easy way to get on with life. While mentors provide a much-needed emotional safety net for returning felons, they should not taken in by "poor me" stories. As one mentor said, "When a guy tells me his boss is mean or that his sister is going to kick him out of her house if he doesn't get a job, I tell him to deal with it. I point out that he has made a lot of mistakes and that he's going to have to do whatever it takes to change his life."

Some practical ways a mentor can help ex-offenders:

- Assist them in developing a "life plan".
- Identify their strengths and weaknesses, skills and abilities so that they can find employment that is tailored to those qualities.
- Coach them in job interview skills.
- Help them write their resume and fill out job applications.
- Provide them with a ride or a bus pass to get to job interviews and job searches.
- When they locate a job, introduce yourself to their supervisor and offer to help when issues arise.
- Introduce them to your congregation and include them in your worship services, Bible studies and other activities and support services.
- Help them develop independent living skills, such as budgeting or shopping.
- Help them deal with difficulties with family and loved ones.
- Meet their parole or probation officer, and make sure they keep their appointments. Let the supervising authorities know you are available to help as issues arise.
- Drive them to parole or probation appointments, if necessary.

- Accompany them to medical and social service appointments to help them tolerate delays in waiting rooms and other challenges.
- Be available to help when temptation arises.

Ideally, the relationship between mentors and offenders should begin while they are still in prison. That way, they can establish rapport and think through the options for life after prison prior to their release. For prisoners who are in institutions too far away to visit them often, some institutions offer teleconferencing. Or, if necessary, the relationship can be established through phone calls and letters.

It is helpful to meet ex-offenders at the gate or bus station, and to keep company with them during their first critical hours after release. A mentor provides stability and companionship at a time of acute vulnerability. It can also cement the relationship between mentor and ex-prisoners at a time when it is very important to establish trust.

Obviously a good job is essential if these men and women are to make a successful transition from prison back to the community. Work is important for more than just the paycheck, although the fact that someone values an offender's talents enough to pay them for their labor is a great morale boost. In addition, work puts them into daily contact with the mainstream of the community, forming positive relationships with "everyday" people.

On the other hand, being unemployed with time on their hands can often lead inmates into trouble. Our mothers wisely taught us that idle hands are the devil's playground. This is nowhere more true than for returning inmates. Watching TV or hanging out with others in the neighborhood is a recipe for a return to the wrong lifestyle.

However, when a returning offender secures a job, will they be able to keep it? They need help thinking though employment options and learning what is expected of them on the job. Many offenders have never had someone in their lives who has held a steady job. They have had no model for being a good employee. A mentor can teach them that they need to get up on time, go to work each day and call their supervisor if they must be absent. The offender may find it difficult to take direction, or they may lack skills to cope with a difficult boss or fellow employees. Their mentor can help them with such everyday difficulties of the workplace and teach them the importance of punctuality, politeness, and diplomacy on the job.

The mentor can also help the offender with decision making, how to keep track of bills and pay them on time. In prison inmates don't have to deal with any of this, and on the street such details may quickly overwhelm them. In short, offenders need to be taught how to make good choices, handle responsibility, and be accountable; to make the right choice even when no one is looking.

Of course, for a mentor to make a difference, the offender's attitudes must be changed. Crime is at its root a moral as well as a legal problem. The inmate is in prison as a result

of bad moral choices, and their hearts must be transformed if they are to lead crime-free lives.

The world has largely given up on changing the behavior of offenders. The Church, on the other hand, believes in redemption. The Church reaches out in love, embracing the offender while asking him to repent of his sin. The Church also knows that it is important to hold offenders accountable for the harm they have done and that they must attempt to make things right with their victims; and, most importantly, to turn their lives over to God.

There is a tendency for government agencies to view churches and faith-based organizations as "money-saving" devices - a cheap way to accomplish tasks in times of budget restraint. In this construct, the faith community is merely an auxiliary force to be drawn upon to do what government would otherwise do.

I submit to you that this view is terribly flawed. The faith community offers something that government programs cannot provide: love. To many inmates, the mentor from the local church may be the first person to ever tell them that they are loved, and may be the first to hold them accountable for their actions. Effective reentry programs view the faith community as an essential partner. Dr. Martin Luther King, Jr. said, "To change someone, you must first love them and they must know that you love them." It is the church that can provide that all-important love.